

Introduced by Senator Wright

February 20, 2013

An act to add Section 40440.15 to the Health and Safety Code, relating to the South Coast Air Quality Management District.

LEGISLATIVE COUNSEL'S DIGEST

SB 389, as introduced, Wright. South Coast Air Quality Management District: electric generating facilities: emissions offsets.

Existing law establishes the South Coast Air Quality Management District (district) vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board to govern the district. Existing regulations of the district exempt the replacement of specified electric utility steam boilers at electric generating facilities from specified emissions offset requirements and allow those facilities to use, at no cost, emissions offset credits from the district's internal emissions offset accounts to offset any emissions increase associated with those projects.

This bill would prohibit the district, on and after February 1, 2013, from charging a fee for the transfer of an emissions offset from the district's internal emissions offset account to offset any emissions increase from the replacement of electric utility steam boilers at electric generating facilities, pursuant to a specified south coast district regulation. By adding to the duties of a local agency, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 40440.15 is added to the Health and
- 2 Safety Code, immediately following Section 40440.11, to read:
- 3 40440.15. On and after February 1, 2013, the south coast
- 4 district shall not charge a fee for the transfer of an emissions offset
- 5 from the south coast district's internal emissions offset account to
- 6 offset any emissions increase from the replacement of electric
- 7 utility steam boilers at electric generating facilities pursuant to
- 8 south coast district Rule 1304.
- 9 SEC. 2. If the Commission on State Mandates determines
- 10 that this act contains costs mandated by the state, reimbursement
- 11 to local agencies and school districts for those costs shall be made
- 12 pursuant to Part 7 (commencing with Section 17500) of Division
- 13 4 of Title 2 of the Government Code.